

**MINUTES FROM THE
IONIA CITY COUNCIL
REGULAR MEETING
Wednesday, November 8, 2006
7:00 PM, CITY HALL COUNCIL CHAMBERS**

Mayor Balice called the meeting to order and lead with the Pledge of Allegiance.

I. ROLL CALL

Present: Mayor Dan Balice, Councilmembers Gordon Kelley, Monica Miller, Kim Patrick, Bruce Roetman, Jim Smith, Brenda Cowling-Cronk and Bob O'Mara. Jeff Winters arrived at 7:02 p.m.

Other Present: Jason Eppler, Lynn Lafler, Chris Kenyon, Robin Marhofer, Dave Cook.

OPEN PUBLIC HEARING: 1) To receive comments on a request from Orion Mfg. for a Personal Property Exemption Certificate per Public Act 328 of 1988.
2) To receive comments on proposed Ordinance No. 440, the Environmental Response Millage Ordinance.
3) To receive comments on the levying of an Environmental Response Millage of up to 2.00 mills as authorized by the Environmental Response Millage Ordinance.

II. PUBLIC COMMENTS

Ford Loucks addressed Council regarding sewer backup at his home. Due to suggestions from the City Garage, Mr. Loucks hired a plumber and received a bill for \$165. Would like to be reimbursed for this bill since the problem appeared in a low spot. Mr. Loucks left the meeting prior to Mr. Eppler agreeing to further investigate this issue.

III. MONITORING INFORMATION

Motion by Patrick and Supported by Miller

- A. Approve the minutes from the regular city council meeting of October 3, 2006.
- B. Acknowledge the minutes from the DDA meeting of October 18, 2006.
- C. Acknowledge the minutes from the September 27 and October 25, 2006 Planning Commission meeting.
- D. Acknowledge the minutes from the September 12, 2006 Ionia Housing Commission meeting.
- E. Approve the payroll for the pay period ending 10/4/06 in the amount of \$117,130.07 and for the pay period ending 10/18/06 in the amount of \$116,962.46.
- F. Acknowledge the Accounts Payable for the Ionia Theatre for October 2006, in the amount of \$7,955.25.
- G. Acknowledge the Accounts Payable for the DDA for October 2006, in the amount of \$428,764.99.
- H. Approve the Accounts Payable for the City of Ionia for October 2006, in the amount of \$874,263.76.

ROLL CALL VOTE: Ayes: Smith, Winters, Kelley, Miller, Balice, Patrick, Roetman, Cowling-Cronk, O'Mara. Nays: None. Motion Carried.

CLOSE PUBLIC HEARING: 1) To receive comments on a request from Orion Mfg. for a Personal Property Exemption Certificate per Public Act 328 of 1988.
2) To receive comments on proposed Ordinance No. 440, the Environmental Response Millage Ordinance.
3) To receive comments on the levying of an Environmental Response Millage of up to 2.00 mills as authorized by the Environmental Response Millage Ordinance.

IV. BOARD DECISIONS AND ACTION ITEMS

B#1 Request for Personal Property Exemption Certificate – Orion Manufacturing

Motion by Winters and Supported by Smith to adopt a prepared Resolution granting Orion Manufacturing a Personal Property Tax Exemption Certificate for the period of December 31, 2006 to December 30, 2018.

**CITY OF IONIA
RESOLUTION**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF IONIA GRANTING A PERSONAL PROPERTY EXEMPTION CERTIFICATE TO ORION MANUFACTURING PER PUBLIC ACT 328 OF 1998, AS AMENDED

- WHEREAS,** based on State legislative action, the City of Ionia is eligible to issue Personal Property Exemption Certificates per Public Act 328 of 1998, as amended; and,
- WHEREAS,** the City of Ionia has received a request from Orion Manufacturing, 480 Apple Tree Drive, Ionia, for the issuance of a Personal Property Exemption Certificate for personal property (equipment) per Public Act 328 of 1998, as amended; and,
- WHEREAS,** Orion Manufacturing is engaged in metal stamping which is an eligible business as defined by Public Act 328 of 1998, as amended; and,
- WHEREAS,** upon receiving the request, and as required by Public Act 328 of 1998, as amended, a Public Hearing on the request was conducted on November 8, 2006 by the City Council, notice of the Public Hearing having been published in a newspaper of local circulation; and,
- WHEREAS,** notice of the Public Hearing was provided by mail by the City to all units having taxing authority within the City; and,
- WHEREAS,** Orion Manufacturing is located in an approved Industrial Development District, known as District Number 40, which was established on May 3, 1994; and,
- WHEREAS,** issuance of the certificate will permit Orion Manufacturing to remain competitive, replace aging equipment and maintain an employment base in the City.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Ionia determines that it is in the City's best interest to grant the request from Orion Manufacturing for a Personal Property Exemption Certificate for the period of December 31, 2006 to December 30, 2018 which will exempt all personal property from taxation purchased by Orion Manufacturing during this twelve year period.

BE IT FURTHER RESOLVED that the City Council of the City of Ionia has determined that granting the Certificate will not substantially impede the operations of the City, or impair the financial soundness of other taxing units which levy ad valorem property taxes in the City.

ROLL CALL VOTE: Ayes: Balice, Cowling-Cronk, Miller, Patrick, Roetman, Smith, Winters. Nays: Kelly and O'Mara
Motion Carried.

B#2 Ron Reisbig Request – Outdoor Corn Boiler Placement

Motion by Kelley and Supported by Roetman to accept the recommendation of the Planning Commission and grant the request from Mr. Ron Reisbig for permission to install a corn fired boiler at his property at 628 West Main Street subject to the following conditions established by the City Council:

- 1) Boiler and storage facility be placed on a concrete slab of a durable thickness.
- 2) The door to the boiler be locked when not being tended.
- 3) On-site fuel storage be limited to 1 ton at any give time and that the storage unit be installed contiguous to the boiler.
- 4) Boiler not be used during summer months (ie to heat water for a pool or hot water for domestic use).
- 5) Boiler may only be installed in the rear yard complying with applicable zoning setbacks.
- 6) In the event the City enacts an ordinance regulating outdoor boilers, your particular unit is not exempt from any use and/or safety requirements that may be contained in the ordinance.
- 7) Upon your future sale of 628 West Main Street, the unit must be removed.

ROLL CALL VOTE: Ayes: Kelley, Balice, Patrick, Roetman, Cowling-Cronk, O'Mara, Smith, Winters. Nays: Miller.
Motion Carried.

B#3 Presentation of Theatre Improvement Plans

Motion by Roetman and Supported by Balice to approve the plans for improvements to the Ionia Theatre and authorize staff to proceed with bidding the project contingent upon keeping it within the budget of \$400,000.

ROLL CALL VOTE: Ayes: Miller, Balice, Patrick, Roetman, Cowling-Cronk, O'Mara, Smith Winters, Kelley. Nays: None. Motion Carried.

B#4 Presentation of FY05-06 August – Abraham & Gaffney

Motion by Balice and Supported by Patrick to receive and place on file the City of Ionia, City of Ionia Dial-A-Ride Transit and the Ionia Sewage Disposal System audits and authorize the Finance Director to transmit copies of the audits to the State of Michigan's Department of Treasury.

ROLL CALL VOTE: Ayes: Balice, Patrick, Roetman, Cowling-Cronk, O'Mara, Smith, Winters, Kelley, Miller. Nays: None. Motion Carried.

B#5 Street Closing Request – Electric Christmas Parade

Motion by Smith and Supported by Roetman to grant the request for street closure/on-street parking adjustments from the Ionia Area Chamber of Commerce regarding the Main Street Electric Christmas Parade to be held on Friday, December 1, 2006.

ROLL CALL VOTE: All in favor via voice vote. Motion Carried.

B#6 Environmental Response Millage Ordinance – Ordinance No. 440

Motion by Winters and Supported by Patrick to remove from the table the matter of Ordinance No. 440 and permit the record of the November 8, 2006 meeting to reflect the second reading and adoption of Ordinance No. 440, the Environmental Response Millage Ordinance to become effective upon publication in the November 12, 2006 edition of the *Sentinel Standard*.

CITY OF IONIA ORDINANCE NO. 440

AN ORDINANCE TO AUTHORIZE A MAXIMUM TAX LEVY FOR ENVIRONMENTAL CLEANUP COSTS ASSOCIATED WITH THE CLEVELAND STREET LANDFILL, ESTABLISH AN ANNUAL SYSTEM FOR DETERMINING THE AMOUNT OF THE LEVY, AND TO MAKE ADDITIONAL FINDINGS.

THE CITY OF IONIA HEREBY ORDAINS:

Section 1. Authority This millage is authorized by Section 8.01 of the City of Ionia Charter, which was previously approved by the electors of the City of Ionia.

Section 2. Purpose The purpose of this ordinance is to establish a levy not to exceed 2 mills for a period of 5 years for costs associated with the EPA Administrative Order compelling cleanup and remediation of the Cleveland Street Landfill.

Section 3. Findings

(a) Levy only for Cleveland Street Landfill Cleanup Costs The levy authorized in this Ordinance shall only be used for costs associated with the cleanup and remediation of the Cleveland Street Landfill site (the "site") ordered by the USEPA. Costs associated with the cleanup and remediation of the site include, but are not limited to, costs associated with monitoring wells, surveys, long-term monitoring, sampling and analysis, proper disposal of wastes, EPA response activity costs, environmental consultants, engineers, and legal fees.

(b) Levy not precluded by Ordinance No. 360 The City finds that the tax levied pursuant to this Ordinance is outside the three (3) mill limitation established by Ordinance No. 360. The limitation in Ordinance No. 360 only applies to property taxes levied under the City's general authority to levy general fund operating millage pursuant to the City's Charter. The limitation in Ordinance No. 360 does not apply to property taxes levied for purposes other than general fund operating millage.

Section 4. Maximum Millage Rate

(a) 2 Mill Maximum The City shall not levy more than 2 mills under this Ordinance.

(b) Annual Millage Determination The City shall make an annual determination of the costs associated with the cleanup of the site and shall adjust the millage rate accordingly, levying an amount sufficient to cover the costs of such cleanup, up to a maximum of 2 mills.

(c) Expiration of Millage The levy authorized by this Ordinance shall expire at the end of the fiscal year beginning July 1, 2012, unless amended prior to that date.

Section 5. Paragraph Headings The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

Section 6. Publication and Recordation The Clerk shall publish this Ordinance once in full in *The Ionia Sentinel-Standard*, a newspaper of general circulation in the City, and shall record the Ordinance in the ordinance book of the City. The Mayor and the Clerk shall authenticate the recorded Ordinance by manual signature.

Section 7. Severability The determination by a court of applicable jurisdiction that any section, paragraph, sentence, clause or phrase of this Ordinance is invalid shall not cause this Ordinance, or any other section, paragraph, sentence, clause or phrase of this Ordinance to be invalid.

Section 8. Effective Date This Ordinance shall take effect upon publication.

ROLL CALL VOTE: Ayes: Patrick, Roetman, Cowling-Cronk, O'Mara, Winters, Kelley, Miller, Balice. Nays: Smith. Motion Carried.

B#7 Setting of Environmental Response Millage – Amended Environmental Bond Fund Budget

Motion by Balice and Supported by Cowling-Cronk to adopt a prepared Resolution authorizing the City Treasurer to levy 1.15 mills on the Winter 2006 property tax bill on all real and personal property in the City and to approve an amended Fiscal Year 2006-2007 Environmental Bond Fund budget.

**CITY OF IONIA
CITY COUNCIL
RESOLUTION**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF IONIA CONFIRMING THE LEVYING OF AN ENVIRONMENTAL RESPONSE MILLAGE TO FINANCE ENVIRONMENTAL RESPONSE ACTIVITIES AT THE CLEVELAND STREET LANDFILL AS AUTHORIZED BY ORDINANCE NO. 440

WHEREAS, the City of Ionia has enacted an Environmental Response Millage Ordinance which was adopted by the City Council on November 8, 2006 and is effective upon publication on November 12, 2006; and,

WHEREAS, the Solid Waste Ordinance permits the City to levy up to 2.00 mills for the purposes of financing the costs associated with the clean-up and remediation of the Cleveland Street Landfill site including monitoring wells, surveys, long-term monitoring, sampling and analysis, proper disposal of wastes, EPA response activity costs, environmental consultants, engineers and legal fees; and,

WHEREAS, in order to provide financing for a portion of the City's environmental response expenses that will be incurred during FY06-07 it is necessary to levy an environmental response millage of 1.15 mills, which will generate an estimated \$150,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ionia hereby approves the levying of an environmental response millage of 1.15 mills and directs the City Treasurer to levy the millage on all real and personal property located in the City on the 2006 winter tax bill.

ROLL CALL VOTE: Ayes: Roetman, Cowling-Cronk, O'Mara, Winters, Kelley, Miller, Balice, Patrick. Nays: Smith. Motion Carried.

B#8 Amendment to 425 Agreements – Ionia Township

Motion by Balice and Supported by Patrick to approve amendments to the following 425 Agreements with Ionia Township:

CITY OF IONIA – TOWNSHIP OF IONIA
1999 (School/Swartz Court)
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY
PUBLIC ACT 425 OF 1984

This Amendment to a Contract for Conditional Transfer of Property, dated November 8, 2006, is between the City of Ionia, a Michigan municipal corporation, 114 North Kidd Street, P. O. Box 496, Ionia, MI 48846 (the “City”), and the Township of Ionia, a general law township, 1042 E. Washington Street, Ionia, Michigan 48846 (the “Township”):

WHEREAS, the City and the Township, pursuant to Public Act No. 425 of 1984 (the “Act”), have entered into a Contract for Conditional Transfer of Property, dated _December 22, 1999, (the “Contract”) and

WHEREAS, the City and the Township have each determined that it would be in their respective best interests and the public interest to amend the Contract, and

WHEREAS, the City and the Township, in making this Amendment, have considered the factors required by section 3 of the Act, and

WHEREAS, the City and the Township have both held public hearings on this Amendment, as required by section 4 of the Act, and

WHEREAS, no petition for a referendum as permitted under section 5 of the Act has been filed with either the City or the Township within thirty days after the public hearings, and

WHEREAS, the City and the Township have each made a decision to enter into this amendment by a majority vote of the members elected and serving on the City Council and Township Board, respectively, as required by section 4 of the Act,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, the City and the Township agree that the Contract shall be amended as follows:

1. Sub-paragraph 4 (C) of the Contract shall be amended to read in its entirety as set forth below:

(C) For the duration of this Contract the City and the Township shall share the revenues generated in the transferred area. Revenues generated from the transferred area shall be shared as follows:

The City shall annually pay the Township an amount equal to two (2) mills levied against the state taxable valuation of property in the transferred area, as such state taxable valuation is adjusted from year to year by the City. The City shall report both the taxable and equalized values to the Township each year on all properties covered by this Contract. The City shall pay such amount to the Township within thirty (30) days of when the property tax is paid to the City. Any amount owed to the Township but not paid shall be subject to a late payment penalty of one (1) percent per month until paid.

2. Sub-paragraph 4 (J) of the Contract shall be amended to read in its entirety as set forth below:

(J) Tuttle Road in the Exhibit B area shall remain under the jurisdiction of the Ionia County Road Commission and the Road Commission shall be entitled to any Act 51 monies paid by the State of Michigan for the maintenance of this section of roadway.

3. Sub-paragraph 4 (N) of the Contract shall be amended to read in its entirety as set forth below:

(N) During the school year, the City shall dedicate at least one full-time officer through the City of Ionia Public Safety Department to the Ionia High School to perform the duties of school liaison officer. That officer shall be subject to temporary reassignment for a partial or an entire shift of duty in the event of a specific emergency which the officer is assigned by the City. During times when school is not in session, the City shall assign the officer to such other duties as it may see necessary.

4. All other paragraphs and sub-paragraphs of the Contract which are unamended by this Amendment shall remain in full force and effect.

5. This Amendment shall become effective when it is filed with both the Ionia County Clerk and the Michigan Secretary of State - Office of the Great Seal.

AMENDMENT TO
CITY OF IONIA – TOWNSHIP OF IONIA
2001 (Abbey Apartments Property)
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY
PUBLIC ACT 425 OF 1984

This Amendment to a Contract for Conditional Transfer of Property, dated November 8, 2006, is between the City of Ionia, a Michigan municipal corporation, 114 North Kidd Street, P. O. Box 496, Ionia, MI 48846 (the "City"), and the Township of Ionia, a general law township, 1042 E. Washington Street, Ionia, Michigan 48846 (the "Township"):

WHEREAS, the City and the Township, pursuant to Public Act No. 425 of 1984 (the "Act"), have entered into a Contract for Conditional Transfer of Property, 2001, dated February 12, 2001, (the "Contract") and

WHEREAS, the City and the Township have each determined that it would be in their respective best interests and the public interest to amend the Contract, and

WHEREAS, the City and the Township, in making this Amendment, have considered the factors required by section 3 of the Act, and

WHEREAS, the City and the Township have both held public hearings on this Amendment, as required by section 4 of the Act, and

WHEREAS, no petition for a referendum as permitted under section 5 of the Act has been filed with either the City or the Township within thirty days after the public hearings, and

WHEREAS, the City and the Township have each made a decision to enter into this amendment by a majority vote of the members elected and serving on the City Council and Township Board, respectively, as required by section 4 of the Act,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, the City and the Township agree that the Contract shall be amended as follows:

1. Sub-Paragraph 4 (C) of the Contract shall be amended to read in its entirety as set forth below:

(C) For the duration of this Contract the City and the Township shall share the revenues generated in the transferred area. Revenues generated from the transferred area shall be shared as follows:

1. The City shall annually pay the Township an amount equal to two (2) mills levied against the state taxable valuation of property in the transferred area, as such state taxable valuation is adjusted from year to year by the City. The City shall report both the taxable and equalized values to the Township each year on all properties covered by this Contract. The City shall pay such amount to the Township within thirty (30) days of when the property tax is paid to the City. Any amount owed to the Township but not paid shall be subject to a late payment penalty of one (1) percent per month until paid.
2. The City and the Township shall each receive one-half (1/2) of the money received from the State of Michigan for Revenue Sharing purposes beginning with the State Fiscal Year starting October 1, 2012 (or any earlier date the City receives Revenue Sharing from the State of Michigan pursuant to the property in the Transferred Area) which shall be based on population information obtained through the 2010 United States Decennial Census. The amount shared shall be based on the total of the following formula:

One-bedroom Apartments Units:

8 (# of 1 bedroom units) x 1 (#occupants per unit) x \$____ (per capita amount received by the City from revenue sharing) x 90% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 1 bedroom units.

Two-bedroom Apartments Units:

40 (# of 2 bedroom units) x 2 (#occupants per unit) x \$____ (per capita amount received by the City from revenue sharing) x 90% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 2 bedroom units.

Three-bedroom Apartments Units:

3 (# of 3 bedroom units) x 3 (#occupants per unit) x \$____ (per capita amount received by the City from revenue sharing) x 90% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 3 bedroom units.

2. Sub-paragraph 4 (J) of the Contract shall be amended to read in its entirety as set forth below:

(J) Tuttle Road in the Exhibit B area shall remain under the jurisdiction of the Ionia County Road Commission and the Road Commission shall be entitled to any Act 51 monies paid by the State of Michigan for the maintenance of this section of roadway.
3. Sub-paragraph 4 (N) of the Contract shall be deleted from the Contract in its entirety.
4. All other paragraphs and sub-paragraphs of the Contract which are unamended by this Amendment shall remain in full force and effect.
5. This Amendment shall become effective when it is filed with both the Ionia County Clerk and the Michigan Secretary of State - Office of the Great Seal.

AMENDMENT TO
CITY OF IONIA – TOWNSHIP OF IONIA
2002-1 (Bellevue Apartments Property)
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY
PUBLIC ACT 425 OF 1984

This Amendment to a Contract for Conditional Transfer of Property, dated November 8, 2006, is between the City of Ionia, a Michigan municipal corporation, 114 North Kidd Street, P. O. Box 496, Ionia, MI 48846 (the "City"), and the Township of Ionia, a general law township, 1042 E. Washington Street, Ionia, Michigan 48846 (the "Township"):

WHEREAS, the City and the Township, pursuant to Public Act No. 425 of 1984 (the "Act"), have entered into a Contract for Conditional Transfer of Property, 2002-1, dated May 7, 2002, (the "Contract") and

WHEREAS, the City and the Township have each determined that it would be in their respective best interests and the public interest to amend the Contract, and

WHEREAS, the City and the Township, in making this Amendment, have considered the factors required by section 3 of the Act, and

WHEREAS, the City and the Township have both held public hearings on this Amendment, as required by section 4 of the Act, and

WHEREAS, no petition for a referendum as permitted under section 5 of the Act has been filed with either the City or the Township within thirty days after the public hearings, and

WHEREAS, the City and the Township have each made a decision to enter into this amendment by a majority vote of the members elected and serving on the City Council and Township Board, respectively, as required by section 4 of the Act,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, the City and the Township agree that the Contract shall be amended as follows:

1. Paragraph 4(C) of the Contract shall be amended to read in its entirety as set forth below:
(C) For the duration of this Contract the City and the Township shall share the revenues generated in the transferred area. Revenues generated from the transferred area shall be shared as follows:

1. The City shall annually pay the Township an amount equal to two (2) mills levied against the state taxable valuation of property in the transferred area, as such state taxable valuation is adjusted from year to year by the City. The City shall report both the taxable and equalized values to the Township each year on all properties covered by this Contract. The City shall pay such amount to the Township within thirty (30) days of when the property tax is paid to the City. Any amount owed to the Township but not paid shall be subject to a late payment penalty of one (1) percent per month until paid.

In applying this formula to any portion of the development which shall be valued under formulas that establish Payment in Lieu of Taxes, the Township shall receive the amount calculated from a 2-mill equivalent.

2. The City and the Township shall each receive one-half (1/2) of the money received from the State of Michigan for Revenue Sharing purposes beginning with the State Fiscal Year starting October 1, 2012 (or any earlier date the City receives Revenue Sharing from the State of Michigan pursuant to the property in the Transferred Area) which shall be based on population information obtained through the 2010 United States Decennial Census. The amount shared shall be based on the total of the following formulas:

One-bedroom Apartments Units:

8 (# of 1 bedroom units) x 1 (# of occupants per unit) x \$_____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 1 bedroom units.

Two-bedroom Apartments Units:

44 (# of 2 bedroom units) x 2 (# of occupants per unit) x \$_____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 2 bedroom units.

Three-bedroom Apartments Units:

41 (# of 3 bedroom units) x 3 (# occupants per unit) x \$_____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 3 bedroom units.

Four-bedroom Apartment Units:

4 (# of 4 bedroom units) x 4 (# of occupants per unit) x \$_____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 4 bedroom units.

2. All other paragraphs and sub-paragraphs of the Contract which are unamended by this Amendment shall remain in full force and effect.

3. This Amendment shall become effective when it is filed with both the Ionia County Clerk and the Michigan Secretary of State - Office of the Great Seal.

AMENDMENT TO
CITY OF IONIA – TOWNSHIP OF IONIA
2002-2 (Valley View Phase III)
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY
PUBLIC ACT 425 OF 1984

This Amendment to a Contract for Conditional Transfer of Property, dated November 8, 2006, is between the City of Ionia, a Michigan municipal corporation, 114 North Kidd Street, P. O. Box 496, Ionia, MI 48846 (the "City"), and the Township of Ionia, a general law township, 1042 E. Washington Street, Ionia, Michigan 48846 (the "Township"):

WHEREAS, the City and the Township, pursuant to Public Act No. 425 of 1984 (the "Act"), have entered into a Contract for Conditional Transfer of Property, 2002-2, dated June 13, 2002, (the "Contract") and

WHEREAS, the City and the Township have each determined that it would be in their respective best interests and the public interest to amend the Contract, and

WHEREAS, the City and the Township, in making this Amendment, have considered the factors required by section 3 of the Act, and

WHEREAS, the City and the Township have both held public hearings on this Amendment, as required by section 4 of the Act, and

WHEREAS, no petition for a referendum as permitted under section 5 of the Act has been filed with either the City or the Township within thirty days after the public hearings, and

WHEREAS, the City and the Township have each made a decision to enter into this amendment by a majority vote of the members elected and serving on the City Council and Township Board, respectively, as required by section 4 of the Act,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Amendment, the City and the Township agree that the Contract shall be amended as follows:

1. Paragraph 4 (C) of the Contract shall be amended to read in its entirety as set forth below:

(C) For the duration of this Contract the City and the Township shall share the revenues generated in the transferred area. Revenues generated from the transferred area shall be shared as follows:

3. The City shall annually pay the Township an amount equal to two (2) mills levied against the state taxable valuation of property in the transferred area, as such state taxable valuation is adjusted from year to year by the City. The City shall report both the taxable and equalized values to the Township each year on all properties covered by this Contract. The City shall pay such amount to the Township within thirty (30) days of when the property tax is paid to the City. Any amount owed to the Township but not paid shall be subject to a late payment penalty of one (1) percent per month until paid.

In applying this formula to any portion of the development which shall be valued under formulas that establish Payment in Lieu of Taxes, the Township shall receive the amount calculated from a 2-mill equivalent.

4. The City and the Township shall each receive one-half (1/2) of the money received from the State of Michigan for Revenue Sharing purposes beginning with the State Fiscal Year starting October 1, 2012 (or any earlier date the City receives Revenue Sharing from the State of Michigan pursuant to the property in the Transferred Area) which shall be based on population information obtained through the 2010 United States Decennial Census. The amount shared shall be based on the total of the following formula:

One-bedroom Apartments Units:

34 (# of 1 bedroom units) x 1 (#occupants per unit) x \$____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 1 bedroom units.

Two-bedroom Apartments Units:

5 (# of 2 bedroom units) x 2 (#occupants per unit) x \$____ (per capita amount received by the City from revenue sharing) x 95% (occupancy rate) divided by 2 equals the amount each municipality receives in revenue sharing from the 2 bedroom units.

2. All other paragraphs and sub-paragraphs of the Contract which are unamended by this Amendment shall remain in full force and effect.

3. This Amendment shall become effective when it is filed with both the Ionia County Clerk and the Michigan Secretary of State - Office of the Great Seal.

and authorize the Mayor and Clerk to sign the amendments on behalf of the City and direct the City Manager to file the amendments with the appropriate County and State agencies.

ROLL CALL VOTE: Ayes: Cowling-Cronk, O'Mara, Smith, Winters, Kelley, Miller, Balice, Patrick, Roetman. Nays: None. Motion Carried.

B#9 Set 2007 City Council Meeting Schedule

Motion by Balice and Supported by Roetman to approve the following 2007 City Council Meeting schedule and direct its publication once in the Sentinel-Standard during the month of December:

January 2, 2007	April 10, 2007	July 3, 2007	October 2, 2007
February 6, 2007	May 1, 2007	August 7, 2007	November 13, 2007
March 6, 2007	June 5, 2007	September 4, 2007	December 4, 2007

ROLL CALL VOTE: All in favor via voice vote. Motion Carried.

B#10 Amendment to City Code – Housing Commission

Motion by Patrick and Supported by O'Mara to permit the record of the November 8, 2006 City Council meeting to reflect the introduction and first reading of Ordinance No. 441 which is an amendment to certain sections of the Housing Commission ordinance and schedule a Public Hearing on the amendment for 7:00 PM, Tuesday, December 5, 2006 in the Council Chamber of City Hall.

ROLL CALL VOTE: Ayes: O'Mara, Smith, Winters, Kelley, Miller, Balice, Patrick, Roetman, Cowling-Cronk. Nays: None. Motion Carried.

B#11 Appointments

Motion by Winters and Supported by Smith to confirm the Mayor's appointment of Michael Rockafellow to the Ionia Housing Commission for a term to expire January 1, 2009.

ROLL CALL VOTE: All in favor via voice vote. Motion Carried.

B#12 Street Closure

Motion by Roetman and Supported by Cowling-Cronk to permit the closing of Main Street between Steele Street and Hudson Street on Saturday, June 2, 2007 between 7 am and 4 pm to accommodate an antique and classic car show.

ROLL CALL VOTE: All in favor via voice vote. Motion Carried.

V. INCIDENTAL INFORMATION

- A. Councilmembers to approve accounts payables for November 8, 2006 Jim Smith and/or Kim Patrick; and November 21, 2006 Bruce Roetman and/or Brenda Cowling-Cronk.

VI. INFORMATION OR ACTION ON LEGAL MATTERS

Mr. Eppler informed council the City Attorney has finished the quit claim deed for the Lampman property and that the City Attorney recently meet with City staff to discuss compliance issues associated with delinquent personal property and income tax.

VII. INFORMATION FROM MAYOR AND CITY COUNCIL

Patrick: Congratulated the Ionia High School Football team for making the playoffs.

Kelley: Mentioned his concern with the new 3 way light on the corner of Steele Street and M 66 (knowing it is outside the City jurisdiction). Mr. Eppler has spoken with MDOT regarding the same concern of accidents and MDOT responded this is their way of moving forward, new configuration. Mr. Eppler offered to write a letter to MDOT stating solution of the "sign" is not working. Kelley also spoke of possibly signing and excusing the students who show for the meetings if Council knows the meetings are going to run long.

VIII. ADJOURN

Motion by Patrick and Supported by Roetman to adjourn the meeting at 9:22 pm. All in favor via voice vote.

Submitted by:

Karen M. Confer
City Clerk